

## HOMES FOR THE AGED RESIDENT RIGHTS AND RESPONSIBILITIES

20201(2)(a)	Not be denied appropriate care on the basis of <u>race, religion, color, national origin, sex, age disability, marital status, sexual preference, or source of payment.</u>	
20201(2)(b)	Is entitled to <u>inspect, or receive for a reasonable fee, a copy of his or her medical record</u> upon request.  A <u>third party shall not be given a copy of the patient's or resident's medical record without prior authorization</u> of the patient.	
20201(2)(c)	Is entitled to <u>confidential treatment of personal and medical records, and may refuse their release</u> to a person outside the facility except as required because of a transfer to another health care facility or as required by law or third party payment contract.	
20201(2)(d)	Is entitled to <u>privacy, to the extent feasible, in treatment and in caring for personal needs</u> with consideration, respect, and full recognition of his or her dignity and individuality.	
20201(2)(e)	Is entitled to receive <u>adequate and appropriate care</u> , and to <u>receive</u> , from the appropriate individual within the facility, <u>information about his or her medical condition, proposed course of treatment, and prospects for recovery</u> , in terms that the patient can understand, unless medically contraindicated as documented by the attending physician in the medical record.	
20201(2)(f)	Is entitled to <u>refuse treatment</u> to the extent provided by law and to be informed of the consequences of that refusal.  When a refusal of treatment prevents a health facility or its staff from providing appropriate care according to ethical and professional standards, the relationship with the patient or resident <u>may be terminated</u> upon reasonable notice.	
20201(2)(g)	Is entitled to <u>exercise his or her rights as a patient or resident and as a citizen</u> , and to this end <u>may present grievances or recommend changes in policies</u> and services on behalf of himself or herself or others to the facility staff, to governmental officials, or to another person of his or her choice within or outside the facility, free from restraint, interference, coercion, discrimination, or reprisal.  A patient or resident is <u>entitled to information</u> about the facility's policies and procedures for initiation, review, and resolution of patient or resident complaints.	
20201(2)(h)	Is entitled to information concerning an <u>experimental procedure</u> proposed as a part of his or her care and shall have the right to refuse to participate in the experiment without jeopardizing his or her continuing care.	
20201(2)(i)	Is entitled to receive and examine an explanation of his or her <u>bill</u> regardless of the source of payment and to receive, upon request, information relating to financial assistance available through the facility.	
20201(2)(j)	Is entitled to <u>know who is responsible for and who is providing his or her direct care</u> , is entitled to receive information concerning his or her continuing health needs and alternatives for meeting those needs, and to be involved in his or her discharge planning, if appropriate.	
20201(2)(k)	Is entitled to <u>associate and have private communications and consultations</u> with his or her physician, attorney, or any other person of his or her choice and to send and <u>receive personal mail unopened on the same day it is received</u> at the health facility or agency, unless medically contraindicated as documented by the attending physician in the medical record.  A patient's or resident's <u>civil and religious liberties</u> , including the right to independent personal decisions and the right to knowledge of <u>available choices</u> , shall not be infringed and the facility shall encourage and assist in the fullest possible exercise of these rights.  A patient or resident may <u>meet with, and participate in, the activities of social, religious, and community groups at his or her discretion</u> , unless medically contraindicated as documented by the attending physician in the medical record.	
20201(2)(l)	Is entitled to be <u>free from mental and physical abuse</u> and from physical and chemical restraints, except those restraints authorized in writing by the attending physician for a specified and limited time or as are necessitated by an emergency to protect the patient or resident from injury to self or others,	

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	<p>in which case the <u>restraint may only be applied</u> by a qualified professional who shall set forth in writing the circumstances requiring the use of restraints and who shall promptly report the action to the attending physician.</p> <p>In case of a <u>chemical restraint</u> a physician shall be consulted within 24 hours after the commencement of the restraint.</p>	
20201(2)(m)	Is entitled to be <u>free from performing services for the facility</u> that are not included for therapeutic purposes in the plan of care.	
20201(2)(n)	Is entitled to <u>information about the health facility rules and regulations</u> affecting patient or resident care and conduct.	
20201 (2)(o)	Is entitled to <u>adequate and appropriate pain and symptom management</u> as a basic and essential element of his or her medical treatment.	
20201(3)(a)	<p>The <u>policy shall be provided</u> to each nursing home patient or home for the aged resident upon admission,</p> <p>And the <u>staff of the facility shall be trained</u> and involved in the implementation of the policy.</p>	
20201(3)(b)	Is entitled to <u>meet privately with his or her spouse in a room, which assures privacy</u> . If both spouses are residents in the same facility, they are entitled to share a room unless medically contraindicated and documented by the attending physician in the medical record.	
20201(3)(c)	<p>Is entitled to <u>retain and use personal clothing and possessions as space permits</u>, unless to do so would infringe upon the rights of other patients or residents, or unless medically contraindicated as documented by the attending physician in the medical record.</p> <p>Shall be <u>provided with reasonable space</u>.</p>	
20201(3)(d)	Is entitled to the opportunity to <u>participate in the planning of his or her medical treatment</u> .	
20201(3)(e)	<p>May be <u>transferred or discharged only for medical reasons, for his or her welfare or that of other residents, or for nonpayment of his or her stay</u>, except as provided by title XVIII or the social security act...</p> <p>Is entitled to be <u>given reasonable advance notice</u> to ensure orderly transfer or discharge. Those actions shall be documented in the medical record.</p>	
20201(3)(f)	Is entitled to be <u>fully informed</u> before or at the time of admission and during stay of <u>services available in the facility, and of the related charges including any charges for services not covered</u> under title XVIII, or not covered by the facility's basic per diem rate. The statement of services provided by the facility shall be in writing and shall include those required to be offered on an as-needed basis.	
20201(3)(g)	<p>Is entitled <u>to manage his or her own financial affairs, or to have at least a quarterly accounting of personal financial transactions undertaken</u> in his or her behalf by the facility during a period of time the patient or resident has delegated those responsibilities to the facility.</p> <p>Is entitled <u>to receive each month from the facility an itemized statement setting forth the services paid for by or on behalf of the patient and the services rendered by the facility</u>.</p>	

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20201(6)	<p>A nursing home patient or home for the aged resident is entitled to be fully informed, as evidenced by the patient's or <u>resident's written acknowledgment, before or at the time of admission and during stay, of the policy</u> required by this section.</p> <p>The policy shall provide that if a patient or <u>resident is adjudicated incompetent and not restored to legal capacity, the rights and responsibilities set forth in this section shall be exercised by a person designated by the patient or resident.</u> The facility or agency shall provide proper forms for the patient or resident to provide for the designation of this person at the time of admission.</p>	
20202(1)	A patient or resident is responsible for following the health facility rules and regulations affecting patient or resident care and conduct.	
20202(2)	Is responsible for providing a complete and accurate medical history.	
20202(3)	For making it known whether he or she clearly comprehends a contemplated course of action and the things he or she is expected to do.	
20202(4)	For following the recommendations and advice prescribed in a course of treatment by a physician.	
20202(5)	For providing information about unexpected complications that arise in an expected course of treatment.	
20202(6)	For being considerate of the rights of other patients or residents and health facility personnel and property.	
20202(7)	For providing the health facility with accurate and timely information concerning his or her sources of payment and ability to meet financial obligations.	